

FISCAL NOTE

SB 1290 - HB 1988

April 4, 2007

SUMMARY OF BILL: Creates various misdemeanor offenses relating to equine cruelty, transportation, testing, and interference with investigations of such offenses. Creates Class A misdemeanor offense to knowingly torture, abandon, inflict burns, or drug equines. Second violation is punishable as a Class E felony. Killing an equine belonging to another person is classified as theft punishable as a Class A misdemeanor, Class B, C, D, or felony, depending on the value of the animal.

ESTIMATED FISCAL IMPACT:

Increase State Revenues – \$191,300 / Agricultural Regulatory Fund

Increase State Expenditures - \$129,900 One-Time

\$540,200 Recurring

\$13,200 / Incarceration*

Increase Local Govt. Revenues – Not Significant

Increase Local Govt. Expenditures – Not Significant

Assumptions:

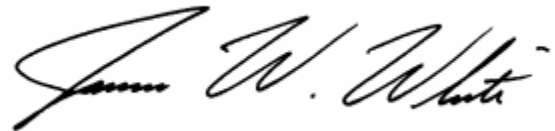
- A recurring increase in state expenditures for the salary, benefits, travel, and operational expenses of one administrative secretary, three Animal Health Technicians, and three Agriculture Enforcement Officers to enforce equine cruelty investigations.
- A recurring increase in state expenditures for the salary, benefits, travel, and operational expenses for one Veterinary Diagnostician and one clerk to perform Coggins Tests.
- An increase in Coggins tests performed in the state each year is estimated to increase by 76,500. Estimate assumes half (38,825) of the samples will be submitted to the state laboratory and will result in an increase in state revenues of \$191,250 (38,825 x \$5.00).
- A one-time increase in state expenditures to purchase specialized laboratory equipment, furniture, vehicles, radios, and supplies.
- A recurring increase in state expenditures for printing, communications, posting notices in newspapers, laboratory supplies and field staff supplies.

- Two offenders per year will serve 0.3 years (109.58 days served) for a Class E felony conviction. According to the Department of Correction (DOC), the average operating cost per inmate per day for calendar year 2007 is \$60.16. The cost per inmate at 0.3 years is \$6,592.33 (\$60.16 x 109.58 days). The total additional cost for two offenders is \$13,184.66 (\$6,592.33 x 2).
- No significant incarceration cost increase will occur due to population growth in this period.
- There will not be a sufficient number of prosecutions for local governments to experience any significant increase in revenues or expenditures.
- Any increase in expenditures for the Department of Safety to inspect trailers transporting equine at interstate inspection stations is estimated to be not significant.

**Section 9-6-119, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director